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EXAMINER	
CALLAHAN, PAUL E	
ART UNIT	PAPER NUMBER
2137	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/639,960	KURIAN ET AL.	
	Examiner	Art Unit	
	Paul Callahan	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 May 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,11,25-28 and 34-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-9,11,25-28 and 34-49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-9, 11, and 25-28 were pending in the application at the time of the previous Office Action. By the latest amendment filed 5-15-06, new claims 34-49 are added. Therefore claims 1-9, 11, 25-28, and 34-49 are pending and have been examined.

Response to Arguments

2. Applicant's arguments filed 5-15-06 have been fully considered but they are not persuasive.

The Applicant argues in traverse of the anticipation rejection of Claim 1 under 35 USC 102(e) as anticipated by Abbott '808, by asserting that Abbott fails to teach the feature of a wireless dongle that: "...is configured to facilitate communication between the first and second electronic devices...". However, a review of Abbott reveals that such is taught, for example at col. 3 lines 34-44, where the dongle is taught as providing a means for the user's computer to store cookies received from a network. It is well known in the art of network communications for a website to refuse a user access unless the user's computer is configured to accept cookies from the website for storage. Therefore the dongle, by storing cookies, does indeed *facilitate* communication between the user's computer and a second device such as a network server. The dongle is also taught as being able to store digital certificates, password data, and other data that facilitates the user's computer in communications with remote devices such as

peripherals (col. 3 lines 50-62). This is taught as being done wirelessly in col. 3 lines 50-62 and again at col. 8 lines 20-34.

In the second full paragraph of page 12 of the arguments the applicant asserts: "*However, in each of the above instances, Abbott et al. teach the inclusion of a transceiver to communicate data between a peripheral device and the personal key itself. This, of course, is in accordance with the function of the personal key as a centralized repository of personal data, including passwords, cookies, and the like. At no point does the Abbott et al. reference teach, disclose, mention, or even hint at using the personal key as an intermediary in communicating between two separate electronic components or devices*". However, even assuming, arguendo, that the dongle fails to act as an intermediary as the term is implicitly defined via the Applicant's argument, i.e., as the conduit through which communications the first and second devices pass, nowhere in Claim 1 is there language directed towards this feature. Claim 1 only recites that the dongle *facilitates* the communication between the first and second devices. Abbott teaches that the dongle may *facilitate* communication by acting to store cookies, digital certificates, or passwords that are used in, or are necessary for communications by or with the first device.

The Applicant argues in traverse of the taking of Official Notice in the rejections of the claims by noting that the USB wireless protocol was first available long after the effective data of the instant application. The Examiner notes that the USB was referred to in the rejection as only one example of a communications standard that was well known in the art at the time of the invention. In response to the Applicant's traverse of

the taking of Official Notice in the previous Office Action, the Examiner now calls the Applicant's attention to Gwinn et al., Networking Working Group, Request for Comments: 1861, Simple Network Paging Protocol, Oct. 1995, page 1: Introduction, as an example of another wireless communications protocol (SNPP) that would have been well known to those of ordinary skill in the art at the time of the invention of Abbott.

The balance of the applicant's arguments are rendered moot by the new grounds of rejection presented infra.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 35, 38, 42, 45, and 49 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "...the dongle consists *essentially* of..." in claims 35 and 38 is a relative term which renders the claims indefinite. The term "essentially" is not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably appraised of the scope of the invention.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5, 25, 26, and 34-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Abbott et al., US 6,671,808 B1

As for claim 1, Abbott teaches an electronic system (col. 4 lines 51-52: "computer system") comprising: a first electronic device having a universal serial bus (USB) port externally exposed (fig. 1 element 130, col. 3 lines 26-30); a second electronic device (col. 3 lines 60-63: Abbott teaches that the dongle may communicate with peripheral devices, col. 8 lines 20-34: Abbott teaches that the dongle may act as a wireless transceiver that communicates with a peripheral device even when coupled to a host computer), a wireless communication system for communicating information between the first and second devices (col. 3 lines 56-62, col. 6 lines 62-66, col. 8 lines 30-34), the wireless communication system comprising: a dongle (fig. 1 element 200, figs. 2a-2c) having an antenna for transmitting and receiving information (col. 6 lines 62-66: an antenna is inherent to the ability of the dongle or "hardware key" to function as a paging

transceiver. The term transceiver is a standard contraction for "transmitter/receiver", col. 8 lines 20-25, 30-34), a USB connector for selective mating engagement with the USB port (col. 5 lines 11-13), wherein the weight of the dongle is supported entirely by the mating engagement of the USB connector to the USB port (fig. 1 elements 130 and 200, fig. 6K), and wherein the dongle is configured to facilitate communication between the first and second electronic devices (col. 3 lines 34-44 where the dongle is taught as providing a means for the user's computer to store cookies received from a network. It is well known in the art of network communications for a website to refuse a remote user access unless the user's computer is configured to accept cookies from the website for storage on the user's computer. Therefore the dongle does indeed *facilitate* communication between the user's computer and a second device such as a network server. The dongle is also taught, in col. 3 lines 50-62, as able to store digital certificates, password data, and other data that facilitates the user's computer in communications with remote devices such as peripherals. This is taught as being done wirelessly in col. 3 lines 50-62 and again at col. 8 lines 20-34).

As for claim 2, Abbott teaches the system as recited in claim 1, further comprising: a transmitter electrically coupled to the antenna (col. 6 lines 62-66: an antenna is inherent to the ability of the dongle or "hardware key" to function as a paging transceiver (col. 8 lines 20-25).

As for claim 3, Abbott teaches the system as recited in claim 2, wherein the transmitter is disposed within the dongle (col. 6 lines 62-66: An antenna is inherent to the ability of the dongle or "hardware key" to function as a paging transceiver. The term transceiver is a standard contraction for "Transmitter/Receiver", col. 8 lines 20-25).

As for claim 4, Abbott teaches the system as recited in claim 1, further comprising: a receiver electrically coupled to the antenna (col. 6 lines 62-66: an antenna is inherent to the ability of the dongle or "hardware key" to function as a paging transceiver col. 8 lines 20-25).

As for claim 5, Abbott teaches the system as recited in claim 4, wherein the receiver is disposed within the dongle (col. 6 lines 62-66: an antenna is inherent to the ability of the dongle or "hardware key" to function as a paging transceiver col. 8 lines 20-25).

As for claim 25, Abbott teaches a computer system (Fig. 1), comprising: a central processing unit having an enclosure (fig. 1 items 102, 104), the enclosure having a first universal serial bus (USB) port (fig. 1 element 130, col. 3 lines 26-30); a peripheral device having a second recessed USB port (col. 3 lines 60-63: Abbott teaches that the dongle may communicate with peripheral devices, col. 8 lines 20-34: Abbott teaches that the dongle may act as a wireless transceiver that communicates with a peripheral device even when coupled to a host computer, col. 3 lines 53-63, col.

4 lines 50-62: Abbott teaches that the dongle may act as a transceiver that communicates with a wide variety of computers and peripherals. As the dongle is a *transceiver*; it is inherent in the system of Abbot that the dongle may communicate with another identical dongle configured as is the first, i.e., coupled to a USB port of a second computer or peripheral as is the first dongle. A second computer configured in this manner may thus act as a peripheral device to the first), and a wireless communication system for communicating information between the central processing unit and the peripheral device (col. 3 lines 53-63, col. 4 lines 50-62, col. 7 lines 32-36, col. 8 lines 20-35, col. 9 lines 50-60: Abbott teaches that the dongle may act as a transceiver that communicates with a wide variety of computers and peripherals), the wireless communication system comprising: at least one communication dongle having an antenna for transmitting and receiving information (col. 8 lines 20-25: the dongle acts as a transceiver for electromagnetic waves, i.e., an antenna) and a USB connector for selective mating engagement with the first USB port and the second USB port (fig. 1 item 130, col. 3 lines 26-30, figs. 3A, 3B,3C: item 302); a peripheral device having a second recessed USB port (col. 8 lines 20-35: Abbott teaches that the dongle can communicate with other computers and peripherals, as per the discussion supra, the dongle is a *transceiver*; therefore it is inherent in the system of Abbot that the dongle may communicate with another identical dongle configured as is the first, i.e., coupled to a USB port of a second computer or peripheral as is the first dongle), wherein the weight of the dongle is supported entirely by the mating engagement of the USB connector to the first or second USB port (fig. 1 items 130, 200, fig. 6H items 602, 604,

606, col. 3 line 64 through col. 4 line 7) and a data transceiver electrically coupled to the at least one communication dongle (col. 8 lines 20-35).

As for claim 26, Abbott teaches the system as recited in claim 25, wherein the data transceiver is disposed within the at least one communication dongle (col.8 lines 20-35).

As for claims 34 and 40, Abbot teaches that the dongle is configured to communicate with the first electronic device via the USB connector (col. 9 lines 17-24) and to communicate with the second device via the antenna (col. 8 lines 20-33).

As for claims 35, 38, 42, and 45 Abbott teaches an electronic system wherein the dongle consists essentially of: the antenna (col. 8 lines 20-33), the USB connector (col. 9 lines 17-24), and a transceiver electrically coupled to the antenna and configured to transmit data to, and receive data from, the second electronic device (col. 8 lines 20-33).

As for Claim 36, Abbot teaches the electronic system of claim 25 where the data transceiver is disposed within a housing of the at least one communications dongle (col. 8 lines 20-33) and is configured to exchange data between the central processing unit and the peripheral device (col. 8 lines 20-35: Abbott teaches that the dongle can communicate with other computers and peripherals. Since the dongle is a *transceiver*; it

is inherent in the system of Abbot that the dongle may communicate with another identical dongle configured as is the first, i.e., coupled to a USB port of a second computer or peripheral as is the first dongle).

As for claim 37, Abbott teaches the computer system of claim 36 wherein the USB connector of the dongle is coupled to the USB port (fig. 1 items 200, 130, col. 9 lines 17-24).

As for claim 39, Abbott teaches an electronic system comprising: a dongle (fig. 6G) including: an antenna for transmitting and receiving information (col. 8 lines 20-25: The dongle acts as a transceiver for electromagnetic waves, i.e., an antenna), a USB connector for selective mating engagement with a USB port of a first electronic device (col. 9 lines 17-24), and wherein the dongle is configured to facilitate communication between the first electronic device and a second electronic device (col. 3 lines 34-44 where the dongle is taught as providing a means for the user's computer to store cookies received from a network. It is well known in the art of network communications for a website to refuse a user access unless the user's computer is configured to accept cookies from the website for storage on the user's computer. Therefore the dongle does indeed *facilitate* communication between the user's computer and a second device such as a network server. The dongle is also taught, in col. 3 lines 50-62, as able to store digital certificates, password data, and other data that *facilitates* the user's computer in communications with remote devices such as peripherals. This is taught as being done

wirelessly in col. 3 lines 50-62 and again at col. 8 lines 20-34), and wherein the weight of the dongle is supported entirely by the mating engagement of the USB connector to the USB port (fig. 1 items 130, 200, fig. 6H items 602, 604, 606, col. 3 line 64 through col. 4 line 7).

As for claim 41, Abbott teaches the system of claim 39 wherein the dongle comprises a transceiver electrically coupled to the antenna and configured to transmit data to and receive data from the second electronic device (col. 8 lines 20-33).

As for claim 43, Abbott teaches a method of communicating information wirelessly between the components of a computer system (col. 3 lines 55-60), comprising: inserting a universal serial bus (USB) connector (fig. 1 items 130, 200, fig. 3A, 3B, 3C item 302, col. 9 lines 17-24) of a first communication dongle having a first antenna (col. 8 lines 20-25: The dongle acts as a transceiver for electromagnetic waves, i.e., an antenna) into a recessed USB port of a computer (fig. 1 items 130, 200) such that the weight of the first communication dongle is supported entirely by the mating engagement of the USB connector to the USB port (fig. 1 items 130, 200, fig. 3A, 3B, 3C item 302, col. 9 lines 17-24), and communicating between a first component of the computer system and the computer via the communication dongle (col. 8 lines 20-33).

As for claim 44, Abbott teaches inserting a second communication dongle having a second antenna into a recessed USB port of a first component, wherein inserting the

second communication dongle enables the first component to communicate with the computer (col. 8 lines 20-35: Abbott teaches that the dongle can communicate with other computers and peripherals. Since the dongle is a *transceiver*, it is inherent in the system of Abbot that the dongle may communicate with another identical dongle configured as is the first, i.e., coupled to a USB port of a second computer or peripheral as is the first dongle).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 6, 27, and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbott.

As for claims 6 and 27, Abbott teaches the system of claims 1 and 25, but does not explicitly teach a step wherein the communication system utilizes a wireless communication standard, although such would be a requirement of the wireless paging function so taught. However, Official Notice may be taken that such a step is one that is old and well known in the art of wireless communications. The Simple Network Paging Protocol Version 3.(SNPP V3), promulgated in 1995, is one example of such a

standard. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Abbott. It would have been desirable to do so since this would allow for greater interoperability of the system with commercially available wireless-communications peripherals supplied by other vendors. Motive to make this combination is found, for example, in col. 6 lines 63-65,where the use of the dongle as a paging transceiver is taught. Use of SNPP would facilitate this feature of Abbott's invention.

As for claims 46 and 48, Abbott teaches a system, comprising a first device having a universal serial bus (USB) port (fig. 1 items 200, 230, col. 9 lines 17-24) and a dongle (fig. 3A, 3B, 3C) operable to enable the device to communicate wirelessly with a second device (col. 8 lines 20-34), the dongle comprising: a USB connector for connecting the dongle to the USB port of the printer (fig. 1 items 130, 200, fig. 3A, 3B, 3C item 302, col. 9 lines 17-24) and an antenna coupled to the USB connector (col. 5 lines 41-46 and 60-64, col. 6 lines 62-66: An antenna is inherent to the ability of the dongle or "hardware key" to function as a paging transceiver, in col. 8 lines 20-25 the dongle is taught as acting as a transceiver for EM radiation, i.e., as an antenna). Abbott does not explicitly teach that the first device is a printer. However Abbott does teach that the dongle is used for wireless communications between a computer and peripherals (col. 8 lines 20-34) and as such, the dongle may communicate as a transceiver with a peripheral device that utilizes a copy of the dongle itself. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to

incorporate a first device that is a peripheral device such as a printer. It would have been desirable to do so since this would increase the utility of the system by allowing a roaming connection between a printer having such as USB dongle and a computer similarly configured.

As for claim 47, Abbott teaches that the weight of the dongle is supported entirely by the mating engagement of the USB connector to the USB port (fig. 1 items 130, 200, fig. 3A, 3B, 3C item 302, fig 6, col. 9 lines 17-24).

As for claim 49, Abbott teaches an electronic system wherein the dongle consists essentially of: the antenna (col. 8 lines 20-33), the USB connector (col. 9 lines 17-24), and a transceiver electrically coupled to the antenna and configured to transmit data to, and receive data from, the second electronic device (col. 8 lines 20-33).

9. Claims 7-9, 11, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbott and Official Notice as applied to claim 6 above, and further in view of Green, US 6,519, 290.

As for claims 7 and 28, the combination of Abbott and Official Notice teach the system as recited in claim 6, but do not teach a step wherein the wireless communication standard is the Bluetooth wireless communication standard. However

Green does teach the use of the Bluetooth wireless communication protocol in a system where a USB hub communicates wirelessly with peripherals via a Bluetooth protocol (fig. 2, fig. 3, col. 2 lines 37-42). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Abbott. Motive to make this combination is found, for example, in Abbott col. 8 lines 20-35 where the advantage of wireless communications between a computer and peripherals is discussed.

As for claim 8, Abbott teaches the system as recited in claim 7, further comprising an integrated circuit, the integrated circuit being a transceiver electrically coupled to the antenna (col. 5 lines 41-46 and 60-64, col. 6 lines 62-66: An antenna is inherent to the ability of the dongle or "hardware key" to function as a paging transceiver. The term transceiver is a standard contraction for "Transmitter/Receiver", col. 8 lines 20-25).

As for claim 9, Abbot teaches the system as recited in claim 8, wherein the integrated circuit is disposed within the dongle (col. 5 lines 41-46).

As for claim 11, Abbott teaches the system as recited in claim 8, wherein the at least one device comprises an enclosure and the integrated circuit is disposed within the enclosure and electrically coupled to the antenna in the dongle (col. 5 lines 41-46

and 60-64, col. 6 lines 62-66: An antenna is inherent to the ability of the dongle or "hardware key" to function as a paging transceiver, col. 8 lines 20-25).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is: (571) 273-8300.

8-1-06

PEC

Paul Callahan

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER